

**REMARKS/ARGUMENTS**

Claims 24-27 are pending in the application and stand rejected under 35 U.S.C. 103 as being unpatentable over US 7,058,508 to Combs et al. (hereinafter “Combs”) in view of JP 2001-195372A to Fujimoto et al. (hereinafter “Fujimoto”), and further in view of US 2003/0134634 to Nakanishi et al. (hereinafter “Nakanishi”), and further in view of US 6,983,306 to Sameshima et al. (hereinafter “Sameshima”).

Claim 24 is amended to include the limitations of claim 27. Claim 27 is canceled without prejudice or disclaimer. No new matter has been added.

As discussed below, Applicants respectfully submit that the cited references do not disclose or fairly suggest each and every element as set forth in the pending claims. Reconsideration and allowance of claims 24-27 in view of the amendment and the following remarks is respectfully requested.

Claim 24

Claim 24 recites a distributed system comprising a storage unit, a processing unit, and a communication unit. The storage unit stores a service scenario that “describes functions necessary to provide a service and relationships between the functions.” The processing unit includes an extraction unit “configured to extract the devices necessary for performing the service based on the service scenario” and a creation unit that “allocates functions from a single device to different users based on the correspondence information, and releases the functions allocated to each user when the service provided to said each user is completed.” The processing unit also includes a service execution unit that “allocates a plurality of processes on a single device to different users and executes the service for the different users.” The cited references, alone or in combination, do not disclose or fairly suggest at least these elements.

The Office Action acknowledges that primary reference Combs does not disclose a service scenario, but argues instead that a partial disclosure can be found in each of Fujimoto and Nakanishi. See, Office Action at page 4. Applicants respectfully traverse. As applied in the Office Action, Fujimoto simply indicates that a service scenario is selected using location as a

key value. See, Abstract. Fujimoto does not disclose or even suggest a service scenario that “describes functions necessary to provide a service and relationships between the functions.” While conceding that Combs/Fujimoto fail to disclose a service scenario, the Office Action cites to Nakanishi.

Nakanishi, however, does not cure the deficiencies of Combs/Fujimoto. As applied in the Office Action, Nakanishi discusses that “the scenario control layer 139 selects a service scenario in accordance with the contents of the restored information from among the service scenarios 121 maintained in the service scenario manager 140. See, Nakanishi at [0059]. Nakanishi also indicates that, as a separate operation, “[t]he service object layer 134 selects an individual function object, which is to be executed when implementing the service scenario selected by the scenario control layer 139.” See, Nakanishi at [0060]. Thus, in the relevant passages, Nakanishi merely indicates that one device layer selects a service scenario and another device layer selects an object to be executed in performing the service scenario. Nakanishi in no way discloses that a service scenario “describes functions necessary to provide a service and relationships between the functions,” much less that the functions are related to devices that perform the functions or that they are acted upon by a creation unit and a service execution unit as recited above.

Since the Office Action acknowledges that Combs/Fujimoto fails to disclose a service scenario that includes functions and relationships, and since Nakanishi does not cure this deficiency, Applicants respectfully submit that the cited references (alone or in combination) fail to disclose a service scenario as claimed. The combination of references therefore fails to teach or suggest each and every element of the claimed invention as required to support a prima facie case of obviousness. Withdrawal of the rejection under 35 U.S.C. 103 is respectfully requested.

Beyond the failure to disclose the service scenarios claimed by Applicants, it is respectfully submitted that the cited references also fail to disclose a processing unit with the claimed creation and service execution units. In particular, the cited references do not disclose “wherein the creation unit creates the correspondence information for each user requesting a service and allocates functions from a single device to different users based on the

correspondence information” or that the service execution unit “allocates a plurality of processes on a single device to different users and executes the service for the different users.”

Combs is cited for each of these elements. As an initial matter, Applicants would like to point out that Combs discusses a maintenance system which detects problems requiring human intervention and which then summons a worker to make repairs. This is exemplified by the reference to Bergeron used throughout the claim rejection. See, Combs at col. 1, lines 64-69 (“a control system can access a database of field service engineers designated to provide services to particular remote sites in response to alarm signals”). Thus, in this respect, Combs is analogous to an electronic rolodex which identifies and summons a worker who is best suited to perform a particular repair. According to Combs, it is the worker/engineer, not the system, who provides the requested service.

Notwithstanding fundamental differences between Combs and the claimed invention, the Office Action equates the claimed “devices” with the engineers who respond to Combs’ service calls. See, Office Action at page 5 (citing Combs’ reference to Bergeron and the computer program of claim 27 which has code for providing “electronic notification” to such workers). However, Applicants respectfully submit that the human repair workers do not satisfy the requirements of the claimed invention. Specifically, the human workers are not “processes” on a “device” which can be “allocated” by a processing unit to “execute” a service for different users.

Accordingly, Applicants respectfully submit that Combs’ system for providing electronic notification to field engineers in no way discloses the claimed processing unit with its constituent extraction, creation, and service execution units. Since none of the cited references disclose a service scenario as claimed, they do not cure Combs’ deficiencies with respect to the processing unit (which acts in relation to the claimed service scenarios). As such, whether taken alone or in combination, it is respectfully submitted that the cited references fail to disclose or suggest at least service scenarios and a processing unit having constituent parts which operate upon the service scenarios as these elements are claimed by Applicants.

Claims 25-26

Claims 25-26 depend from claim 24. Each dependent claim incorporates all of the limitations of its respective base claim. Claims 25-26 are therefore believed allowable over the cited references for at least the reason that they depend from an allowable base claim as well as deriving patentability from their further limitation thereof. Reconsideration and allowance of all pending claims is respectfully requested.

Remarks

Regarding the remarks at page 9 of the Office Action, Applicants acknowledge the Examiner's note concerning statements of intended use. However, the Office Action does not identify what, if anything, in claim 24 is believed to be a statement of intended use or how this note applies to the language of claims 25-26. Applicants respectfully submit that the statement from *Ex Parte Marsham* referenced in the note is not applicable to the pending claims.

Regarding the remarks at page 13 of the Office Action, and as discussed at length above, Applicants would like to clarify that Nakanishi does not disclose or suggest a service scenario as claimed. The Office Action has identified a typographic error at page 16 of Applicants' prior response. To avoid any possible confusion, the corrected paragraph is reproduced below:

Nakanishi does not disclose or even suggest a service scenario which describes functions necessary to provide a service and relationships between the functions, nor does the reference disclose correspondence information that specifies linkages between detected devices. Nakanishi does not mention function information, device information, process information, and data destination information. Finally, Nakanishi ~~discloses~~ does not disclose that the detected devices perform one or more of the functions necessary to provide a requested service according a service scenario.

Regarding the remarks at page 14 of the Office Action, Applicants note that an explicit motivation to combine references can be part of a *prima facie* case of obviousness and that such motivation is not found in the cited references. See, MPEP §2143. Applicants also note that a proposed modification cannot change the principle of operation of the reference. Id.

It is respectfully submitted that the proposed modification of Combs would fundamentally and impermissibly change its principle of operation.

Specifically, Combs contemplates a system which summons human service providers to perform building maintenance. Modifying Combs' system to provide the repair service (as opposed to providing a notification) would fundamentally change its principle of operation. Modifying Combs to replace human repair workers with processes allocated/executed on a device would also fundamentally change its principle of operation and render Combs unfit for its intended purpose. Finally, Applicants note that Combs contemplates a building system in which site/area information does not change. By contrast, the claimed invention contemplates changing area information and is therefore believed to be incompatible with Combs. Accordingly, for at least these reasons, Applicants respectfully submit that the Combs reference does not support a prima facie case of obviousness with respect to the claimed invention.

### CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858-350-6100.

Respectfully submitted,



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